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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKETT NO.
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08/746,635 11/13/96 MURTHY

V 96700/341

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NEW YORK NY 10016

SPIEGEL, C

ART UNIT

PAPER NUMBER

13

1641
DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

08/19/98

All participants (applicant, applicant's representative, PTO personnel):

- (1) Elizabeth A. Bogosian, Reg. No. 39,911 (3)
(2) Carol A. Spiegel (4)

Date of interview 10/28/97

Type: Telephonic Personal (copy is given to applicant applicant's representative).

Exhibit shown or demonstration conducted: Yes No. If yes, brief description: _____

Agreement was reached with respect to some or all of the claims in question. was not reached.

Claims discussed: all pending

Identification of prior art discussed: Olson in particular plus other prior art -- added Szasz et al.
Clin Chem 22/11: 1806 - 1811 (1976).

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Ms. Bogosian argued that while Olson's conclusion, RBC AK correlated to hemolysis, was correct, Olson got there the wrong way. ② Olson was not measuring solely RBC AK b/c DAPP also inhibited muscle AK ③ Serum/plasma contains both RBC+ muscle AK ④ If based on the refs. The routineer would not know how to differentially measure RBC AK or even that it could be measured in serum. The Examiner maintained ① Olson provided the critical teaching correlating hemolysis to RBC AK ② Noted Olson was

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

measuring blood by samples ③ both the prior art or record + Szasz ref. suggested AK activity in serum and ④ differential measurement of RBC AK was routine

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, the applicant is given one month from this interview date to provide a statement of the substance of the interview.

1. It is not necessary for applicant to provide a separate record of the substance of the interview.
2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.

Carol A. Spiegel
Examiner's Signature